

Exhibit B

From: Melissa Chan [melissachan@quinnemanuel.com]
Sent: Friday, March 23, 2012 11:01 AM
To: Pernick, Marc J.; Todd Briggs
Cc: Rachel Herrick Kassabian; AppleMoFo; 'WH Apple Samsung NDCal Service'; 'Kolovos, Peter'; 'Walden, S. Calvin'; Samsung v. Apple
Subject: RE: Apple v. Samsung: Correspondence re: Production of Source Code by Samsung

Marc,

I write in response to your letter to Todd Briggs on March 16.

Your demand that Samsung “formally agree” to an alleged violation of the Court’s December 22nd Order is simply a nonstarter. Samsung will not stipulate that it has allegedly violated the Courts Order – because there has been no such violation. Nor will Samsung stipulate to any of Applés demands for the preclusion of source code evidence, since Samsung timely produced the source code for the accused products required under the Court’s December 22, 2011 Order.

Apple’s motion and your March 16 letter appear to misinterpret the Courts December 22nd Order and ignore the January 27th Order. As you know, the Court’s January 27, 2012 Order is the order that addresses the production of documents sufficient to show version information, such as the additional source code versions. That order clearly stated that in lieu of production, Samsung could negotiate a stipulation that its source code production adequately represents the functionality of the entire set of products. Although Samsung produced documents on February 3, 2012, reflecting the change history for the accused products, in compliance with the Court’s January 27th Order, Samsung also has tried to work with Apple to reach an agreement identifying a representative set of source code that could streamline expert reports and result in efficiencies at trial for both parties. It now appears that Apple is refusing to sign the stipulation unless Samsung agrees to include an admission that it violated a court order, which is simply untrue. Thus, it is only Applés unreasonable demands and refusal to meet and confer that have prevented the parties from reaching an agreement on that stipulation.

For the sake of clarity, Samsung has both (1) produced information regarding the changes made to Samsung’s products or (2) tried to negotiate a stipulation regarding those versions. It is clear that Apple has no intention of negotiating a resolution to Apple’s motion for sanctions or to the source code issue. We therefore will prepare our response to Apple’s motion highlighting Apple’s refusal to meet and confer in good faith as discussed above.

Thanks,
Melissa

From: Pernick, Marc J. [mailto:MPernick@mofocom.com]
Sent: Friday, March 16, 2012 5:55 PM
To: Todd Briggs
Cc: Rachel Herrick Kassabian; AppleMoFo; WH Apple Samsung NDCal Service; Kolovos, Peter; Walden, S. Calvin; Samsung v. Apple
Subject: Apple v. Samsung: Correspondence re: Production of Source Code by Samsung

Hi Todd,

Attached please find correspondence regarding your proposed stipulation concerning Samsung's production of source code in response to the Court's December 22, 2011 Order.

Regards,
Marc Pernick

3/30/2012

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